119

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A LETTER TO A GENTLEWOMAN *CONCERNING* GOVERNMENT.

MADAM,

I was, for some Years, under the two last Reigns, a pensive Spectator of the hard Struglings between Prerogative and Property. I saw the Nation sometime in a deep Lethargy, and afterwards too much awaked. Popery, like a Mole, working under Ground, and covertly undermining our Laws and Religion. Our potent and nearest Neighbour taking Advantage of our Negligence and Mistakes. At last, the Clouds, over our Heads, grown so big with sulphurous Matters, that they were like to have rain'd down upon us a Showre of Hail and Fire, had

not kind Providence timely interposed in our Behalf, and by a high Northerly Wind dissipated our Fears with our Dangers, and rendred the Air calm and clear in a Moment.

I was particularly very attentive upon the last Revolution. I saw Popery at our Church Doors, and ready to rush in upon us: And, on a sudden, fled and gone, and like never to return. I admired at the Quickness of our Deliverance: How it was hatch'd out before the Nation knew of the Conception of it! How quietly so great a Change was brought to pass, without Blood-shed, without Stroak striking, without the least Opposition! How unanimous the People were in giving way to it! How very few did dislike it! And, considering the great Taxes, and greater Difficulties about the Coin, which have followed since; And that for all this, the Nation is rather the richer than the poorer in the main, and the Kingdom like to be more flourishing than ever; I cannot but wonder, and acknowledge, that *this is the Finger of GOD.*

But, amongst the rest, I have not a little marvelled to see the late King, when he lost his old Friends a-pace, get new ones as fast, and have so many Female Advocates ready upon all Occasions to plead his Cause; who, before his Fall, hardly thought of him, very many never saw him.

Above all, Madam, I cannot imagine what should make you be so zealous for him, who are a good Protestant, who once greatly feared Popery would come in by his Means, and ever disliked his Arbitrary Proceedings! It is certainly a surprising Thing, when the best and wisest Statesmen in the Nation are on King *William*'s side, to see Ladies, who generally know little or nothing of State-Affairs, appear so eager for King *James!* And to see one so discreet, and so little talkative at other times, upon this Occasion so ready to set all the Sails her Eloquence can make! Had *Salomon* lived in our Days, he would have own'd Five Things *too wonderful* for him, yea Six *which he knew not*: And modestly confessed this profound Female Mystery to be above his Search and Wisdom.

The Distemper appears so much the harder to cure, that the Cause of it is altogether unknown. It is true, some have judged it to lie altogether in the Head, as many other Womens Distempers do. Others, in the Tongue, a kind of a Flux, and that Ladies talk on this Subject, for want of other Topics of Discourse. Some, in the Heart, that is, mistaken Compassion, which commonly inclines

clines Women and Children to pity even the most unpitiable, when ſuffering, things. Others do ſay, that Ladies of Pleaſure having loſt their Trade by the laſt Revolution, have ever ſince railed at the Author of it; And that from them, the Contagion, like ſome undecent Modes, has ſpread it ſelf more univerſally, and infected even many modeſt, but unthinking Ladies. But theſe are wide Conjectures; And, for my part, I confeſs my Ignorance, and freely declare, that having vainly inquired into the Cauſe of this Prodigy, I cannot poſſibly find it, no not ſo much as rationally gheſs.

Therefore I ſhall be forced to play the Empirick, and venture at a Remedy very good in it ſelf, which generally cures Diſtempers of this kind, I mean Errors and Miſtakes: And that is anſwering Objections, and ſtopping Symptoms and Effects: And, Who knows but this may make the Cauſe to ceaſe? However, if I do fail of my end, and meet with Obſtructions, it is no more than the greateſt Phyſicians of all kinds often do, when with excellent Remedies they undertake to work upon ſubjects, not diſpoſed to be wrought upon by them.

And, if what I ſhall ſay does little good beſides, I am in hopes however it may make ſome Impreſſion upon you; becauſe I know your Temper is tractable and gentle; that you are a very ſenſible Woman; and that hitherto your Zeal for King *James* has ended in Words, and never broke out into Action, I mean abſenting your ſelf from our Churches upon his Account. Far from this, you are the ſame pious Church-Woman you were before.

Had you done, as many of your Siſters and Brothers, who ſet up an upſtart Church of *England*, in the midſt of the Old venerable One, I could eaſily have ſhewed, that, as Loyalty and Orthodoxy, ſo Heterodoxy and Rebellion are things that have no neceſſary relation one to another: That as the *Spaniards*, for inſtance, are very loyal Subjects, and yet thought by Proteſtants to be Heterodox even to Idolatry, ſo the *Engliſh* Church-men may be Rebellious, (let it be ſuppoſed, for Arguments ſake, though altogether falſe,) and yet very Orthodox: That as we join now with the *Spaniſh* Forces, againſt a common civil Enemy the *French*, their Errors in Religion notwithſtanding, they might join with Church-men in their Prayers, in Oppoſition to Popery, and Proteſtant Schiſm, for all their Miſtakes in Politicks; praying even for King *William*, *that they may live quietly and peaceably* under him, ſince St. *Paul* bids the

Christians in his Time, *pray for Emperor* Nero, upon that very Account, tho' he was one of the worst of Tyrants. And that they who do not, may justly be called Politick Church-Sectaries, even by their own Standard, and are infinitely worse Logicians, and more to blame than our Religious Dissenters. But, as long as you are not concern'd in it, I shall press the Argument no further.

I would not have you expect, from a Man of my Profession, a full Account of Government, in whose hands a pruning Knife, or a Gun are much oftner than Books of Politicks. However, since Reason is the Share of all Men, and that true Government does, of all things, stand upon Reason; I will, for your Satisfaction, try what I can do, towards answering your Scruples, and making you a Convert to our Politick Faith, as you ever were to our Religious One.

To this end I shall argue most in the Negative, and shew you some Things which are not true in Government, and thus answer your Objections; leaving it to Statesmen to speak more positively, and teach the World what it is, in the full extent of it.

Your Arguments are chiefly these:

That *Government in general is of Divine Institution.*

That *Monarchy is so too.*

And Hereditary Monarchy likewise.

Particularly, That a *King is a sacred Thing, both as to his Person and Office, and can by no means cease to be so while he lives.*

That therefore *the Kingdom belongs still to the late King: That he should have it again by Right, by the known Maxim,* to do by others as one would be done by.

That *former Oaths taken to him are still binding, and will be so 'till himself unbinds them that took them.*

That however, *his Son should have succeeded him; not a collateral Prince.*

That *King* William's *Creation was unmethodical, as well as the first Parliament held under him, in reality but a Convention.*

That for all these Reasons *Oaths may not lawfully be taken to him.*

Nor the last Association honestly sign'd, is being against the lawful King and his Son, both living.

Especially

Especially as to the Word Revenge, *which belongs to* GOD *alone, and is sinful in a Christian.*

And as to the Words Lawful and Rightful, *belonging still to King* James, *and wrongfully apply'd to King* William, *who is King only* de Facto, *and not* de Jure.

This is, Madam, if my Memory fail me not, all that is said, and for ought I judge, can be said for the late King, and against the present. However, rectifying these Mistakes, will, I hope, open a way towards clearing all others. I shall briefly answer them, one after another, and as plainly as I can, remembring all this while I speak to a Lady.

That Government in general is of Divine Institution, is not an Objection, but a most certain Truth. GOD is undoubtedly the Author of Government, and St. *Paul* commands *every Soul* to be *subject to the higher Powers*, for this very Reason, that *there is no Power but of* GOD. As GOD set Laws to other Things, and establish'd a sort of a course Government among some kinds of irrational Creatures, as Bees, Cranes, Beavers, for instance; so he has instituted a civil Order amongst Men: And Anarchy, or no Government, is always contrary to the Will of GOD, who *is not the Author of Confusion.* This readily granted, I have granted all, and your other Arguments, if thoroughly examined, will visibly appear so many Mistakes.

And first, That Monarchy should be of Divine Institution, so as to make all other sorts of Government unlawful, and against the Ordinance of GOD, can be proved neither by any good Reason nor from Scripture. Quite contrary, Experience in all Ages shews, that Commonwealths are, in themselves, as lawful as Monarchies. Who can say, with the least Shadow of Reason, that the Old *Roman* Commonwealth, or that of *Athens*, were unlawful? Or that the now Republick of *Venice* is against the Laws of GOD? When, upon a time, *there was a King in* Israel, and that *every Man did that which was right in his own Eyes*, it is not to be supposed that they had no Government, but only that they lived in a kind of a Commonwealth, those who had more Wisdom than others being their Rulers, severally, by their own Choice: And yet this sort of Government is no where in Scripture condemn'd as unlawful: Far from

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it, it is rather mentioned by way of Commendation, in opposition to Kingly Government, which followed afterwards. The Villany committed in *Gibeah* being so justly punish'd by the Commonwealth, which in a Monarchy had not perhaps been done more than this, as St. *Paul* declares all kinds of civil Government, and Monarchy amongst the rest, as it is a Government, to be *of* GOD; so St. *Peter*, speaking of Monarchy, as distinct from other sorts of Government, Aristocracy, Democracy, *&c.* expresly calls it *the Ordinance of Man.* 'GOD having appointed that Men should be governed some way or other, according to Justice and Reason; but left to human Prudence, according to their several Climates, Tempers, and other Circumstances, to frame them into that sort of Government, which should be judged fittest, for the Peace and Safety of the whole. So that altho' Monarchy, by the Judgment of the wisest Men, is acknowledged to be the best and most perfect sort of Government, yet it is not the only lawful one, but others are altogether as lawful.

I know, Fatherly Government, and after the Father, by elder Brothers, as the Father's Successors and Representatives, is alledged from Scriptures, and pleaded as the Ground and Pattern of Monarchy, after which all Government in the World is to be framed. GOD having declared to *Cain*, the first elder Brother we read of, that his younger Brother *Abel's Desire* should be *to him*, and that he should *rule over Abel.* That this Law continues to this day in Families, all the World over. That therefore, as *Adam* was King of his Family, and of all the World; so is one Person to be Supream Governor in every Nation.

In answer to this, it is not material to inquire, whether *Adam*, if he had lived to this day, had been the only lawful King over all the World, because he has been dead these many Thousand Years. neither is it of moment to determine whether his eldest Descendant now, if he was known, might lawfully claim universal Monarchy: For, the Man being altogether unknown, lost, and irretrievable, to talk of his Right is to build Castles in the Air. Let us only examine the Possibility and Practicableness of the Thing, and the Objection will immediately fall to the Ground. Not to mention the many Confusions, Mixtures, Failings, Interruptions, and transplanting of Families into Countries very distant from that where the first Stem of them grew, by which Changes and Alterations,

terations, this Monarchical Paternal Succeſſion becomes impoſſible and impracticable: And ſuppoſing that all the Genealogies of Mankind are exactly kept and recorded, and that all Families keep cloſe and intire within themſelves. Who can tell how far each Family may extend? How far each Nation and People? Theſe Limits and Bounds muſt firſt be ſet, before the Objection can take place. It muſt be defined whether every Father muſt be a King? Whether he may be King over his Children, and ſubject to his Father, when all theſe happen to live at the ſame time? Whether bigger Kingdoms are unlawful? Whether one Man may not lawfully be King over more Kingdoms than one? Whether two Men, or more, may not be Kings of the ſame Kingdom at the ſame time? As we have in the *Roman* Empire, and among our ſelves, Examples of Aſſociates in the Government. And a thouſand more ſuch inſuperable and inextricable Difficulties be ſolved. And who can do it? Who can prove, for inſtance, the late King to be *Adam*'s eldeſt Deſcendant in theſe Kingdoms? which yet muſt be proved by the Force of the Objection.

But to let theſe *Chimera's* alone, I deny that Fatherly and Kingly Government are all one, if they were, there muſt have been but one King over all the World, namely, *Adam*'s eldeſt Deſcendant, in a direct or collateral Line; which, far from being orderly, had bred eternal Confuſions and Wars, it being impoſſible for any one Man to give Laws, nay to ſend Orders all the World over.

To avoid this Inconvenience, when Families grew numerous, they might frame themſelves into ſeveral Nations, ſome bigger and more extended, ſome leſſer and within narrower Bounds, as it happened. Theſe Nations might ſet over themſelves ſeveral Rulers, altogether independent one from another, and in different Methods, all equally lawful, ſo that there was but a civil Government amongſt them. As for elder Brothers, they muſt needs follow the Fate of their Fathers, and ceaſe to bear rule over their younger Brothers, when tranſplanted into different Nations. We find this to have been the Practice of the firſt Times, both before and after the Flood. And of a later Date, in *Ceſar*'s days, the *Brittains* and the *Gaul*'s were juſt ſo divided.

Had

Had the Kingly Title of the elder Brother been unalterable by the Laws of GOD, the Father could not have disinherited him, which yet all Laws allow him to have Power to do. *Esau* could not lawfully have parted with his Birth-Right to his younger Brother *Jacob*, nor *Jacob* lawfully stepp'd into *Esau*'s Place, which yet he did: And if *Esau* is called *prophane* for selling his Birth-Right, it is only because he is supposed to have slighted the Priesthood, belonging then in every Family to the elder Brother, and parted with it for too light a Cause, a litte Hunger. But his Action is no where condemn'd, as being in it self otherwise immoral, and against the Laws of GOD. And if (as I heard it reported by Travellers) there is a Custom in a little Canton near the *Pirenean* Mountains, that, not Sons, but Daughters, and Sons in Law in Right of their Wives, inherit the Father's Estate; for which they give this odd Reason, that by this means a Father chuses his Heir, and, as much as he can provides a Man of Sense to succeed him, which otherwise might sometimes, in spight of him, be a Fool: The Custom may be called prepostorous, or ridiculous if you will, but I see no reason, why it should be called unjust and dishoneſt.

In a word, Monarchical Fatherly Government, and after the Father by elder Brothers, tho' GOD did at first set them up, are no more of Divine Institution, so as to exclude, as unlawful, all other Governments, than Coats and Aprons are of Divine Institution, so as to make all other Clothes to be against GOD's Laws, because the first Clothes GOD made to the first Men, or taught them to make, were Aprons and Coats.

Next, That Hereditary Monarchy should be of Divine Institution, so as to make Elective Ones unlawful, is visibly false, and against numerous Examples, both ancient and modern, of the prophane and the sacred Kind. *Poland* is now as good, and as lawful a Kingdom, as *England* can be: And when GOD formerly set one up, he made it not Hereditary, but otherwise. *Moses* his Sons were set by, and *Joshuah* preferred before them: And afterwards the Judges were altogether Strangers one to another, not only of different Families, but often of different Tribes. That at length he granted the *Jews* an Hereditary Monarchy, from elevating it above other kinds of Monarchy, is rather to its Disadvantage; For he did it at their importunate Request, and declared by *Samuel*, that the Thing was against his Liking, and would, in time, prove very

very burthenſom to them; Hereditary Monarchies being apt to degenerate into Abſolute and Arbitrary Power. And ſuppoſing Hereditary Succeſſion to Kingdoms from Father to Child, ſhould, by this Example, be granted to be of GOD's eſpecial Choice and Liking; yet there would be very many Difficulties againſt it, impoſſible to be ſolved, either by Scripture or from Reaſon. For inſtance, it might be ask'd, Whether, in caſe the Royal Family were quite extinct in a Nation, it might not be lawful for the People to elect a King, according to their beſt Judgment? If it might be lawful, then elective Kingdoms are not unlawful. If not, then Anarchy or a Commonwealth muſt enſue; the firſt is againſt the Laws of GOD; the laſt deſtroys the former Objection, of Monarchy being excluſively of Divine Inſtitution. It might alſo be ask'd, whether all the Males of the Kingly Line being dead, the Females might not ſucceed in the Throne, as they did among the *Jews* by GOD's own Order, to their Father's Eſtates, and do at this day to their Eſtates and Titles, in many Nations? If they might, then Kingly Rule by elder Brothers, or by Brothers, is not unalterable; If not, then again, either the Election of a new King, or Anarchy, or a Republick, muſt be the Conſequence of it. It might be ask'd further, whether Males only may ſucceed their Fathers and Kinſmen, or Females alſo for want of Males, ſuppoſing they are in a direct or near Line, and Males only in a collateral or remote one? That Women are capable of being civil Governors, appears from Scripture by the Example of *Deborah*; And out of Human Hiſtories, by thoſe of *Semiramis* and *Nitocris* of old, and by ſeveral among our ſelves, and the *Spaniards* of a later Date. Whereas the *French* admit of no Females to be their Queens in their own Right, but have often ſet the laſt dead King's Daughters by, to ſet up a Prince many Degrees off, ſo that he were but the next Male; as appears by the Examples of *Francis* the Firſt, and *Henry* the Fourth. Who will ſay that the *Engliſh* or *Spaniards* do herein break any Divine Law? Or, That the *French* go by a Divine Rule? Even themſelves do not ſay ſo, but alledge for this Cuſtom a fundamental but human Law, which they call the *Salique* Law, made at the beginning of their Monarchy. And it might be a poſing Queſtion to their beſt Stateſmen, Whether, in caſe no Male were left of the Royal Blood of *France*, the next Female of that Blood might not be Queen, the *Salique* Law notwithſtanding? It might further be ask'd,

Whether the natural Children of the laſt dead King, or of the laſt that had any, might not ſucceed for want of Legitimate Royal Iſſue? In ſome Nations they do; in others they do not. It would be hard to ſay, that in ſuch a Caſe a Nation goes by a Divine Law, or breaks it! Let any Man, if he can, produce ſuch a Law, that ſettles Degrees of Hereditary Succeſſion in all Caſes, and anſwers the Difficulties propoſed, and the like; and then, and not before, the Objection will take place. For my part, I believe Hereditary Monarchies to be the moſt regular and the ſafeſt: But I ſee no Reaſon, Why elective ones ſhould not be as Lawful as they.

But theſe are not your main Arguments. The fundamental of all, and that on which the greateſt ſtreſs is laid, is, That a King come to the Crown by Hereditary Succeſſion, and by an unconteſted Right, according to the known Cuſtoms and Laws of the Land, is King for his Life, and cannot lawfully, in his Life-time, be deprived of his Kingdom; which is, ſay you, the Caſe of King *James*. This is the great Objection, and therefore I will give a larger Anſwer to it, as full and as plain as I can.

I have ſhew'd already, that Monarchy is not of Divine Right, excluſive to other ſorts of Government; and that ſucceſſive Hereditary Monarchy is not of Divine Inſtitution neither, ſo as to make elective Ones unlawful. From which it neceſſarily follows, that altho' Governors in general are of Divine Right, ſo as to make Anarchs or Tyrants unlawful, yet no Governor in particular can be Governor but by Human Laws and Cuſtoms; which being Human, may conſequently be altered, the ſtrongeſt Settlements and Acts of Recogniſance in the World, to the contrary, notwithſtanding. I will name ſome Caſes, in which a lawful King may lawfully, in his Life-time, ceaſe to be ſo, and ſhall give you leave to make the Application.

I have heard learned and wiſe Men affirm, That a Breach of the Original Contract with his Subjects, may make a King lawfully ceaſe to be King in his Life-time: That the People themſelves may, in ſuch a Caſe, aſſert their own Rights, if they have no other way to aſſert them (as a Man ſet upon by another, and in viſible Danger of his Life from him, may lawfully kill him, if he has no other way to eſcape: And a Woman may kill any Man that offers to raviſh her, if ſhe can no other way avoid the Rape). That then a King may lawfully be dethroned by them, eſpecially when ſome Prince

of

of the Royal Blood appearing for them, helps them again to their ancient Privileges. And further they said, that this was King *James*'s Case: But I will not insist upon it, out of Respect to him; it being, besides, above me to define such a Matter.

Should I alledge Difference in Religions, it would be no more than the *French* did in *Henry* the Fourth's Case. For they would not own him, 'till from a Protestant he turn'd Papist, saying, that it was a fundamental Law amongst them, to have no Heretick to be their King. If by a fundamental Law they meant a Law of as long a standing as their Monarchy, this could not be true, because their first Kings, far from owning the Pope to be the Head of the Church, were not so much as Christians, but Heathens; therefore they pleaded only a Custom amongst them, later than their Monarchy, to have Popish Kings. And if so, this was our very Case; For it was likewise a Custom in these Kingdoms to have Protestant Kings. And perhaps there might be found, in the Laws enacted in *England*, in and since *Henry* the Eight's Time, stronger Bars against Popish Kings, than in the *French* Constitutions against Protestant Ones. Our Laws have a great deal against Popery in direct Terms; whereas there could be nothing then in the *French* Constitutions against Protestants, but indirectly and by Consequence: *Henry* the Fourth being the first and only Protestant Prince that came to that Crown. But I will wave this only, as not being, in my Opinion, fully and clearly decisive: And the ill Example of the *French*, not fit to be produced as a lawful Precedent.

The first Case I shall alledge, in which a lawful King may lawfully cease to be King in his Life-time, is, when he loses his Intellectuals, either by Simpleness, or by total Distraction. For Anarchy is against the Laws of GOD, and inconsistent with the Safety of the People: And if the King in Possession is not capable of governing, some Body else must govern: And the Laws of the Land may be so severe upon Regents, that no Body will undertake to rule in the Name of the King under Imbecillity, or distracted. In such a Case it is lawful, nay absolutely necessary, to have another King, and to keep the weak or frantick one safe from doing mischief: Such Princes there have been. One of the first Kings of *France*, they say, was shut in a Monastery for being insufficient to rule, and another set up in his room. And, within our Memory, *Alphonso*, King of *Portugal*, for brutal Extravagancies, was, in his Life-time, de-

priſed of the Crown by the States of that Kingdom, and his Brother ſucceeded in his place. If a King's Title was by the Laws of GOD indefeaſible, this Caſe could not defeat it, as the Diſtraction or Imbecillity of a Husband does not defeat his Right to his Wife, his Wife being as firmly ty'd to him while he lives in Frenzy or Imbecillity, as if he were in his right Senſes. A contagious incurable diſeaſe is equivalent to this, as in the Caſe of *Uzziah* King of *Judah*, when a Leper, in whoſe room his Son, in his Life-time reigned.

Conqueſt is another Caſe, in which a King may not only lawfully ceaſe to be King in his Life-time, but even become a Subject to the Conqueror, and take Oaths of Allegiance to him. This was the Caſe of the laſt Kings of *Judah*, whom the Kings of *Egypt* and of *Babylon* conquered. For, during their Priſons, *Nebuchadnezzar* is in Scripture own'd lawful King of the *Jews*; and *Zedekiah*, (to whom, after his Nephew *Jehojakin*, the Kingdom of right belong'd) blamed for not keeping his Oath to *Nebuchadnezzar*. Had the Title of theſe Kings been indefeaſible, no Conqueſt could have alienated it, and *Zedekias* his Rebellion had been lawful, whereas it is severely condemn'd. I do not ſay this to make any Application of it; I know this is, by no means, the preſent Caſe; For neither was King *James* conquered, nor King *William* Conqueror: But only to ſhew the falſity of your Argument; That the beſt Titles of Kings may be loſt in their Life-time; and that they are not by the Laws of GOD indefeaſible. If they were, no Conqueſt, no Priſon could defeat them; as they do not the Right of a Husband over a Wife, who, by the Laws of GOD, may not marry another Man while her Husband lives, though he were a cloſe Priſoner, and kept never ſo many years from her.

When a King, either by an authentick Inſtrument, or verbally before his Counſel or the States of the Nation, does abdicate or lay down the Government, he does without all doubt ceaſe to be King, and another lawfully in his Life-time ſucceeds him. This was the Caſe of the Emperor *Dioclefian* of old; In the laſt Age of *Charles* the Fifth, Emperor of *Germany* and King of *Spain*; And in this of *Chriſtina*, Queen of *Sweden*, no Man can ſay, that theſe Princes broke the Laws of GOD in ſo doing, which yet they muſt have done, had their Title been in their Life-time unalterable.

For

For then they had been as ſtrictly bound to rule over their Subjects, all their Life-times, as their Subjects were to obey them. If a Papiſt ſhould ſay to this, That Pope *Paul* the Fourth would never acknowledg for Emperor *Ferdinand Charles*'s Brother, to whom *Charles* had reſign'd the Empire, I'll readily own it. But beſides that he made no Oppoſition about the Kingdom of *Spain*, to whom, by *Charles*'s Reſignation, his Son *Philip* ſucceeded likewiſe in his Life-time, which were enough to anſwer the Exception: He never condemn'd the Reſignation of the Empire, as being a Breach of GOD's Laws, only he pretended, that by ancient Canons, (human Laws no doubt,) ſuch a Reſignation could not be made without his Approbation firſt obtained. But if any Prerogative was invaded by it, it was not his but that of the Electors, who challenged a Right of Electing the Emperor, and yet at laſt own'd *Ferdinand*'s Titles as well as the following Pope *Pius* the Fourth.

I often heard you compare a King to a Father, and to a Husband; and Subjects to Children, and to a Wife. Theſe Compariſons may be uſed in a Moral Senſe, to preſs the mutual Duties between them. But in a ſtrict Senſe, ſuch as we are upon now, they are altogether falſe. No Father can reſign to another Man his Right over his Child, ſo as to have Paternal Power over him; no Husband can lawfully leave his Wife, and in his Life-time reſign her to another. The Law of GOD is a Bar to him: Whereas, not only Kings, but even a Pope, I think *Celeſtin* the Fifth, laid down his Government, and no Body taxes him with the Breach of GOD's Laws for ſo doing, which yet he muſt have been guilty of, had the Titles of Princes in their Life-time been indefeaſible. Of all Governments the Popedom cannot lawfully be laid down, muſt a Papiſt ſay, preſs'd by my Argument: And becauſe the Papiſts in this Nation are generally of King *James*'s ſide, let them, if they can, get out of the reach of it, and ſwallow as well as ſuch a hard Morſel will give them leave, the Conſtitution in the Decretals, that a Pope may depoſe himſelf, and lay down his Dignity.

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If it be ſaid to this, that it is not King *James*'s Caſe; That he has not reſign'd his Kingdoms, but lays claim to them ſtill; that therefore great Injury is done to him, whereas none was done to thoſe Princes, by the known Maxim *Volenti non fit Injuria*. I anſwer, that I do not at all apply Caſes, but only argue the Defenſibleneſs of the Titles of Kings, which their defeating it themſelves by a voluntary Reſignation does certainly prove. As for the Latin Sentence, which you ſo often quote, perhaps without underſtanding it, it is alledged out of Seaſon. For the Queſtion is not, Whether any Injury was done to thoſe Princes? But, Whether they did not injure GOD, and ſin againſt Him by reſigning their Crowns? No Body can ſay they did; and if they did not, then it follows invincibly, that their Title was defeaſible, ſince they did defeat it. Neither is the Axiom true, in Caſes where the Will of Man is againſt the Will of GOD. A Lady may be very willing; and yet a Man may do her great Injury, when it is againſt GOD's Laws. Likewiſe, if a King's Title was by a Divine Law indefeaſible, the People would do him great Injury to ſubmit to another, even when he voluntarily reſigns to him the Government; becauſe they would expoſe both to ſin againſt GOD, perhaps without poſſibility of mending the Fault.

But the moſt undoubted Caſe, in which a King loſes his Title to his Kingdom in his Life-time, is when he goes out of it, and leaves the Government unprovided. For then he ceaſes to be King, by ceaſing to do what in him lies, to Rule and Protect the People. Anarchy is the worſt of Evils to a Nation, and againſt the Laws of God. And as there is no Interregnum in an Hereditary Kingdom, if any Heir be left, after the Death of the King; there ought to be none neither, or, as ſhort a one as may be, when a King is gone, and has Abdicated the Crown in this manner. When a Wife is forſaken by her Husband, the Law limits a certain time, after which, ſhe not hearing from him, is at liberty to Marry, the Law ſuppoſing that he is dead; and yet it is not abſolutely neceſſary that a Woman ſhould Marry; but it is that a Nation thus left by the King, ſhould immediatly be Govern'd, or as ſoon as poſſible. This was the Caſe of *Henry* the Third King of *France*, who left his Elective Kingdom of *Poland*, to take Poſſeſſion of *France*, his Hereditary one. For,

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whether the States of *Poland* Elected thereupon a New King, or no, they had certainly Power to do it, their King being gone from them, and having left them without Government. And that this was the Case of the Late King *James*, no body can deny it, it being matter of Fact.

I know it is answered, that he left *England* unwillingly, and out of Fear, being forc'd to it, by a General Rebellion of his Subjects. But this, besides, its being untrue, (for he was at the Head of a good Army, and might without Fear have stay'd with it;) is not material in the Case, put it how you will, by intirely leaving the Reins of the Government, he certainly Abdicated it, and lost his Right and Title to it. I am of Opinion, that none of his Subjects caused him to go away and leave his Kingdoms; if any did, they must answer for themselves. However, the Bulk of the People who had no Hand in it, could not be without a King, and might Lawfully have another, since he was gone. And let it be considered, that his final Departure was deliberate, and after consideration: For, being once gone from *London*, and at the Dutiful Invitation of the Lords and others, returned to it again, Fear cannot reasonably be pleaded to be the Cause of his final going away. So that to say, he ought to have his own again, is falsly applyed to his own Kingdom; for, it is none of his now. He lost his Right to it, by going away, and Abdicating it. His Office was Sacred, and so was and is still his Person, as long as he attempts nothing against the present Government. But his Office and Right are gone, and residing in another, who succeeded him in the Sacredness of them.

You often compare a Kingdom to an Estate, and pretend that the same wrong was done to the late King, as it would be to a private Man, to deprive him of his Patrimony. But the Ground of the Comparison is not true, and this, People that argue so, do not enough consider. A Kingdom is not a King's, as a Man's Land is a Man's; a Man may Lawfully Give, Sell, Mortgage, Play his Land away, if he pleases: but a King may not his Kingdom. Even the French, tho otherwise submissive to their King's, pleaded this very thing, in the Case of *Francis* the First, who being Prisoner in *Spain*, had solemnly promis'd for his Ransom, besides other Conditions, to dismember some parts of his Kingdom, and relinquish them to

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If it be said to this, that it is not King *James*'s Case, That he has not resign'd his Kingdoms, but lays claim to them still; that therefore great Injury is done to him, whereas none was done to those Princes, by the known Maxim *Volenti non fit Injuria*. I answer, that I do not at all apply Cases, but only argue the Defensibleness of the Titles of Kings, which their defeating it themselves by a voluntary Resignation does certainly prove. As for the Latin Sentence, which you so often quote, perhaps without understanding it, it is alledged out of Season. For the Question is not, Whether any Injury was done to those Princes? But, Whether they did not injure GOD, and sin against Him by resigning their Crowns? No Body can say they did; and if they did not, then it follows invincibly, that their Title was defensible, since they did defeat it. Neither is the Axiom true, in Cases where the Will of Man is against the Will of GOD. A Lady may be very willing; and yet a Man may do her great Injury, when it is against GOD's Laws. Likewise, if a King's Title was by a Divine Law indefeasible, the People would do him great Injury to submit to another, even when he voluntarily resigns to him the Government; because they would expose both to sin against GOD, perhaps without possibility of mending the Fault.

But the most undoubted Case, in which a King loses his Title to his Kingdom in his Life-time, is when he goes out of it, and leaves the Government unprovided. For then he ceases to be King, by ceasing to do what in him lies, to Rule and Protect the People. Anarchy is the worst of Evils to a Nation, and against the Laws of God. And as there is no Interregnum in an Hereditary Kingdom, if any Heir be left, after the Death of the King; there ought to be none neither, or, as short a one as may be, when a King is gone, and has Abdicated the Crown in this manner. When a Wife is forsaken by her Husband, the Law limits a certain time, after which, she not hearing from him, is at liberty to Marry, the Law supposing that he is dead; and yet it is not absolutely necessary, that a Woman should Marry; but it is that a Nation thus left by the King, should immediatly be Govern'd, or as soon as possible. This was the Case of *Henry* the Third King of *France*, who left his Elective Kingdom of *Poland*, to take Possession of *France*, his Hereditary one. For,

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Charles the Fifth. For, after he was releaſed, it was the Opinion of the Parliament of *France*, that the Kingdom was none of his, to diſpoſe and make over to another King; neither in the whole, nor in any part of it; that therefore he was not bound to keep a Promiſe, which he could not Lawfully make. And the Donation which King *John* made of this Kingdom to the Pope, ever was looked upon as Null, to all intents and purpoſes, for this very Reaſon, that it was none of his to give.

The Difference between a Kingdom and a private Man's Eſtate lies in this, That a private Man is abſolute Maſter of his Eſtate, and therefore can, without Injury to any body, diſpoſe of it, as he pleaſes. Whereas a King is intruſted with his Kingdom by God Almighty, to rule it by his Laws in the firſt place, and then by the Laws of the Land. And therefore, tho he may lay it down or deſert it, and both ways Abdicate it, yet he cannot make it away to another, againſt the Conſent of his Subjects, without breaking thoſe Laws, and doing an irreparable Injury to the People, the Welfare of which, is the end of Government. By Reaſon of this eſſential difference, a King may, on many Accounts, loſe his Title to his Kingdom, when a private Man does not loſe his, to his Eſtate: In caſe of Imbecillity or Diſtraction; in caſe of Conqueſt; in caſe of Total Abſence from it: For, in theſe Caſes, private Men enjoy ſtill their Eſtates, whereas a King ceaſes Lawfully to be King.

The known Maxim, ſanctified by our Saviour, *To do by others, as one would be done by*, is alſo pleaded in the behalf of King *James*. But if it is applyed to a wrong Caſe, it holds true, only in Caſes of Right and wrong, or of kindneſs and diskindneſs, but not in Caſes of Neceſſity, or Executing Juſtice. No Judge, were he a Felon, would be Hanged for Felony, but be pardoned and live better, and yet he juſtly condemns Felons to Death. No Man would have a Competitor prefer'd before him, if he could help it, and yet he Lawfully gives his Vote upon occaſion, to one of the Candidates and againſt the others, according to his Judgment; ſo that, to ſay, *Would you be ſerved as King* James *was ſerved, if you were in his Room?* is juſt as if a Gentleman, who put in for a Knight or Burgeſs to ſerve in Parliament, and loſt it in the Poll by ſome Votes, ſhould alledge this Maxim to thoſe that Vote againſt him. Would

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you have loſt it, as I have done? Would you have had me Vote againſt you, as you did againſt me? No, undoubtedly they would not, and yet they are blameleſs in giving their Vote againſt him. In ſhort, the Maxim extends not to wiſhes and deſires, but only to joſt and unjuſt, or the like; and the Senſe of it is, that what we judge juſt, we ſhould do to others, and not what we think unjuſt. But there was no injuſtice or wrong done to the late King; for, there can be no wrong, where there was no Right, and his Right to the Crown he loſt, as I ſhew'd before.

The binding Obligation of the Oaths taken to King *James* is next pleaded; That whoever took any Oath of Allegiance to him, ſtands bound by his Oath, to own him as his King, till himſelf Voluntarily unbinds him. For my part, I never took any Oath to King *James*, and ſo have not the greateſt part of the Nation; and theſe, for ought the Objection can reach, may Lawfully acknowledge another King, now he is gone, and has left them; And King *William* is Lawful King over the moſt numerous part of the Nation, by far, *viz.* All Men who had no places in King *James*'s time, and all that were not of Age to take any Oaths to him; ſo that the Objection reaches hardly one in a Hundred.

But I will not leave the Argument thus, but anſwer it for them, who having formerly taken the Oaths to King *James*, have ſince ſubmitted to King *William*. I ſay then, that there may be Caſes, in which even the moſt ſacred and ſolemn Oaths may ceaſe to bind, not only without, but even againſt the Conſent of the Party to whom they were made, and this, while the Party is alive. As for example, in the Caſe of our Biſhops at the Reformation. For, they were ſworn at their Conſecration and Inſtallation, in the moſt ſacred and ſolemn manner imaginable, even upon the Goſpel, to own the Pope for the Head of the Church; which being a Religious Caſe, the Oath, one would think, was as binding, as any Oath could be; and yet all the Proteſtants are of opinion, not only that they Lawfully broke it, but that they were bound in Conſcience to break it, thô ſore againſt the Popes Will, who Excommunicated them for their Pains. In general, whatever Oath is in it ſelf unlawful, not only binds not, but he that took it ignorantly, is bound to break it, as ſoon as he finds it to be unlawful.

Likewise, if the Essential Circumstances or Conditions, upon which an Oath is grounded, come to cease, the Oath also ceases of Necessity, and the bindingness of it falls to the Ground, tho never so much against the Will of the Party concern'd. Subjects are sworn to their King, as he is and shall be their Ruler and Protector, so that if by his absenting himself, without leaving any Provision for the Government, he puts himself out of capacity to Protect and Rule them, the Oath follows the Protection, and goes away with it; and altho' the Consent of the absent King be wanting, yet it binds no more them who took it, then if the King were naturally dead; as also, if the King be Conquered, or Weak, or Frantick, the Consent of the King becomes unqualified, if not necessary, to free his Subjects from their Oaths, because the Ground of the Oaths ceases.

It's true, some Kings have absented themselves from their Kingdoms, to follow the Wars abroad, as formerly *Richard* the First, and now King *William* himself; or upon other occasions, as King *James* the First, when only King of *Scotland*, to fetch his Queen from *Norway*: But these left Deputies, and held the Reins of the Government at a distance. Whereas the Late King, going away, made no such Provision; and his Broad Seal being found by a River side, it looks, as if he had intended to leave the Nation in a Confusion; in which Case, if in any, by his losing his Right to the Crown, the Oaths to him lost their Force.

But, says your Ladiship, supposing that the Late King had lost his Right to the Crown, by his going away: However his Son the Prince of *Wales*, not his Daughter the Princess of *Orange*, and her Husband, should have succeeded him. It being the known Custom and Law of the Land, that when there are any Male Children in the Royal Family, they succeed their Father, before their Sisters and their Husbands.

I answer in general, that since Hereditary Kingdoms are not of Divine Institution, so as to make unlawful Elective ones, as I shewed before, they can not consequently be so by Males, so as to make Succession by Females unlawful. Travellers tell us of a Kingdom

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in the East, where Daughters succeed to the Crown before their Brothers, which Custom is as Lawful in that Country, as the contrary among us. By which it appears, that Succession by Males before Females, where it is used, must be only a Human Institution, which undoubtedly is alterable upon urgent occasions, as this was.

To come closer to the Argument, it might be said, that the Birth of that Child was very dubious; that many believe *Jane Gray*'s Tragical Story, much better then then all the after-pains King *James* took, to prove his Birth to be Princely. Especially, considering the Maxims of Popery then Reigning, which stick at no Cheat, to advance their Cause; and the Circumstances of his reputed Parents. For, all their other Children, to whom he was supposed to be Uterine Brother, died young, wanting *Stamina Vitæ*, said the Physicians. (I beg pardon, Madam, for this Latin word, pray let it pass in Exchange of the Latin Sentence you have just now quoted.)

But this I will pass in silence, out of respect even to faded Majesty. Let it be granted, that the Prince of *Wales* was a true Prince, his Parents certainly did him an unspeakable wrong, in not putting his Birth beyond all doubt, by sending in time to his two Sisters, to give them notice of the thing, and procuring, by all means, that themselves, or however their Proxies should be present at that famous Birth: Getting, rather then fail, the Wives of the then Bishops, Prisoners in the Tower, or their next Kinswomen of known Firmness to the Protestant Religion, and altogether Strangers at Court, to be Eye-Witnesses of it. They say, that the utmost Caution in this Nature, was used heretofore at the Birth of our Princes. And why should it have been neglected, when it was most necessary? If we may believe Lawyers, in Case even of a mean Estate, Intail'd upon the next Relation, for want of Issue in the Possessor of it; the Proof of the Birth of a Child lies upon the Man, whose Child puts by the Intail; and I heard of an Estate lost by such an omission, notwithstanding the Birth of a Child, and the Oath of his Parents that he was their Child. A Succession to Three Kingdoms required, one would think, as undoubted a Proof, as a Succession to an Ordinary Estate. And, if for want of such a Proof, the Child lost his Right, who is to blame for it, but his Parents?

Above all, by their carrying him away, and transporting him into a Foreign Country, they deprived him of his Right. For, some thing as strong lies against him, as against his Father, for leaving the Reins of the Government. How could an absent Child be made King, when no body knew how to come by him? And if the Poor Child was blameless in the thing, as you use to say, so was the Nation, say I, in setting him aside, and providing otherwise for themselves.

King *William*'s being but a Collateral Prince, when he was made King, needs not stick so hard with some People. How many Examples have we in this Kingdom, of Collateral Princes, on urgent Occasions succeeding, and the direct ones being put by? The very Second and Third King's after the *Norman* Conquest, interrupted the Hereditary direct, immediate Succession; *Robert* eldest Son to *William* the Conqueror, never coming to his Father's Crown, and his two Brother's Reigning in his Life-time, one after another. *Joahaz* was Younger than *Jehoiakim and Zedediah*, and yet was anointed King after his Father *Josiah*, before his elder Brothers, who Reigned afterwards. *Johanan* the Eldest of all, is alive all this while, never coming to the Crown of *Judah*. And if Elective Kingdoms may Lawfully be changed into Hereditary ones, as there was a late Instance in the Kingdom of *Denmark*; No Reason can be given, why upon such an extraordinary occasion as this was, the ordinary Succession might not be interrupted; and the Kingdom for that one time be Elective; all Human Laws and Customs being alterable, when there is good Reason for it.

But besides, the Prince of *Orange* was Husband to the next undoubted Heiress, King *James*'s Eldest Daughter, and came in his own Right immediatly after the Younger, who never pleaded her Right against him. He was an absolute Prince, and by no means a Subject, as generally Princes of the Royal Blood are, as the two Princesses were, in King *James*'s time, and could his Wife be a Queen and he but a Subject? For, as for a Regency, to propose it to an absolute Prince, was to propose to him, to be liable to be Tryed in Parliament. No Man could expect, that the Prince would submit to this; or, let his Wife be Queen of *England*, and he live

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from her in the *Low-Countreys*. All this conſidered, and that he had immediately before done the greateſt Service imaginable to the Nation, in aſſerting our Law and Religion; and could not be ſpared in the unſettled Condition the Kingdom was then in, his being then made King, was neceſſary and indiſpenſable.

Let but the Act of Settlement be impartially conſidered. That only his Perſon, not his Iſſue, after the Late Queen's Death, and he having none by her, does interrupt the former Order of Succeſſion. And even they who are moſt againſt his being made King, will own, that in ſuch a Caſe, no other Expedient could be found, to procure the Peace and Security of the Nation.

But, ſay you, his Creation was unmethodical, as well as the firſt Parliament held under him, in Reality but a Convention. I might anſwer, that in ſuch an extraordinary Juncture of Affairs, when the main Alteration could not be helped, nor poſſibly be otherwiſe, it is not much to be wondred at, if ſome outward circumſtances were overlookt and neglected. But the thing needs not be excuſed, and I think, a very ſubſtantial Reaſon may be given for it.

Your ſo much admired, and ſo often repeated Fundamental Politick Maxim, that all National Affairs of this Nature, muſt be done by the King and the two Houſes of Parliament, is not univerſally true. When the King is gone away, and has left no Deputy to Rule in his Abſence, as the Caſe was then; either the Nation muſt fall into Anarchy, or it muſt be helped without the King. And that a Nation ſhould be without Government, for want of a King, who will not Govern, can never be the Will of God, but rather, that in extraordinary Caſes, it ſhould uſe extraordinary Remedies.

It is very poſſible, for the Royal Line to be altogether extinct; who can ſay, that in ſuch a Caſe, no National Tranſaction would be Legal, for want of a King, when a King could not poſſibly be had? And who can deny, but that the Legiſlative Power, would then Naturally and Solely devolve on the two Houſes of Parliament. It may further be ſuppoſed, that in time of a Raging Plague, not only the Royal Line, but the Peers of the Realm alſo are all dead. Undoubtedly in ſuch a Caſe, the Government would fall of courſe

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But, ſay you, his Creation was unmethodical, as well as the firſt Parliament held under him, in Reality but a Convention. I might anſwer, that in ſuch an extraordinary Juncture of Affairs, when the main Alteration could not be helped, nor poſſibly be otherwiſe, it is not much to be wondred at, if ſome outward circumſtances were overlookt and neglected. But the thing needs not be excuſed, and I think, a very ſubſtantial Reaſon may be given for it.

Your ſo much admired, and ſo often repeated Fundamental Politick Maxim, that all National Affairs of this Nature, muſt be done by the King and the two Houſes of Parliament, is not univerſally true. When the King is gone away, and has left no Deputy to Rule in his Abſence, as the Caſe was then; either the Nation muſt fall into Anarchy, or it muſt be helped without the King. And that a Nation ſhould be without Government, for want of a King, who will not Govern, can never be the Will of God, but rather, that in extraordinary Caſes, it ſhould uſe extraordinary Remedies.

It is very poſſible, for the Royal Line to be altogether extinct; who can ſay, that in ſuch a Caſe, no National Tranſaction would be Legal, for want of a King, when a King could not poſſibly be had? And who can deny, but that the Legiſlative Power, would then Naturally and Solely devolve on the two Houſes of Parliament. It may further be ſuppoſed, that in time of a Raging Plague, not only the Royal Line, but the Peers of the Realm alſo are all dead. Undoubtedly in ſuch a Caſe, the Government would fall of courſe.

courſe into the Hands of the Commons. In both Caſes, the States of the Nation muſt firſt make a King unmethodically, as you expreſs it, that he might afterwards methodically call them; as a Candle blowen out, lights the Match, which afterwards makes it again ſhine and burn.

The Caſe we are upon now, was not juſt of the Nature of theſe two, but it was however a very extraordinary one. The King was gone, and there was no Vice-Roy in the Land, no not ſo much as the next Succeſſor, according to the former ordinary courſe. I would fain know, What could have been done in ſuch a Juncture, that was not done. The Peers were called together by the Prince, and ſuch Members of the Houſe of Commons, who had ſerved in King *Charles* the Second's time. What better expedient could be found, to conſult about the Affairs of the Nation? Theſe being met, humbly deſired the Prince, to take the Government upon him, in that extraordinary Juncture; which the Prince accepting of, he called a Convention, or a General Meeting of the two Houſes, which accordingly met in the uſual manner. And theſe finding the Throne ſtill vacant, moſt humbly deſired the Prince and Princeſs, to accept of the Crown Imperial of *England*. Either the Throne muſt be vacant for ever, or the Convention muſt fill it; there being no other way, ſince King *James* had Abdicated the Government, and was abſolutely out of it.

But however, replies your Ladiſhip, there can be no formal Parliament, which is not firſt called by the King, which this was not, the Convention being immediately transformed into it, as ſoon as the King and Queen were proclaimed; without a previous Diſſolution, and Writs iſſued out, and the uſual time allowed to the People to chuſe new Knights and Burgeſſes. This, Madam, I take to be the leaſt material Point of all: For, not to ſay, that from an unformal King, as you call King *William*, an unformal Parliament might be made; Eſpecially at a time when their uninterrupted ſitting was ſo neceſſary to ſettle the Nation, and to prevent Diſturbances: Without examining the thing any further, I ſhall only anſwer, That the following Parliament, formal to all Intents and Purpoſes, confirmed all the Acts of the preceding, called by you a meer Convention: which as to the Force of the Laws enacted by them

them, (the only thing you can now cavil at,) puts the thing intirely out of Diſpute.

Theſe being ſo, King *James*, by breaking and ſubverting the fundamental Laws of the Nation, and by leaving the Kingdom without Rule, having abdicated the Government, and the Oaths taken to him loſt their Force. King *William* being poſſeſs'd of the Crown; ſettled in the Throne; ſolemnly crown'd King; unanimouſly own'd by the Nation; the current Coin bearing his Image and Superſcription; (which by CHRIST himſelf was declared ſufficient to juſtifie the Title of the then *Roman* Emperor, tho' much a greater Uſurper than any Man can poſſibly make King *William*;) His fighting our Battles; and having cleared his Kingdoms of all that appeared in Arms againſt him. What can rationally be pleaded, why Oaths to Him may not as lawfully be taken as they are to any King?

I do not urge the laſt Particular, of King *William* his having overcome all his open and declared Enemies in his Kingdoms, as if I intended to derive His Title from His Conqueſts. For theſe are known to have been not antecedent, but ſubſequent to His Title. I do it only to diſarm the late King's Advocates of the Weapon which they once reckoned the ſtrongeſt, and which they moſt confided in.

I was Witneſs to a Paſſage between two Gentlemen, about the time that King *William* was upon imbarking for *Ireland*; One had taken the Oaths to Him, the other would not take them. After ſome Diſcourſe they happened to talk of the two Kings, and of the Oaths. The firſt proved King *William*'s Title by this; That King *James* having abdicated the Government, and the Throne being vacant, the King in Poſſeſſion muſt needs be the true King, not he who had left his Kingdoms. To this the other made anſwer, that King *James*, by being then in *Ireland*, and in Arms to defend his Right, was actually in Poſſeſſion of his Three Kingdoms; for he could be but in one at a time, and ſo that he was in one, it was no matter which. To this the firſt replied, by putting this home Queſtion to him: *Sir, Will you own King* William, *when King* James *and his declared Friends are driven, by King* William's *Arms,*

out

out of these Kingdoms? After a little Demur, the Answer was, *That he would.* And *Will you then*, added the first Gentleman, *take the Oaths to him? I will*, said the other, plainly and in my hearing. But to see, how disingenuous some Men are! About two years after, these two Gentlemen meeting again in my presence, the first desired the other to make good his promise, and to take the Oaths to King *William*; the other answered, that he did not remember, that he had made such a promise, and took time to consider of the thing, till after King *James* was either dead, or had consented to a General Peace, in which King *William*'s Title was owned. His Friend somewhat surprized at this unsincere Denial of a thing which was so true, told him, he was afraid, that when ever such a thing came to pass, he would still find some Evasion, and rather then fail, plead the Prince of *Wales*'s Title. And so it may be, for ought I know; so true is one of the sayings attributed to the late famous Mr. *Hobbes*, that when Reason is against some Men, they will be against Reason, whatever Colours and Pretences they may put on, for their being so.

To conclude the Article of the Lawfulness of the Oaths to King *William* a Christian Prince, and who Rules by Law, no Man can deny their being as Lawful at least, as those of the *Jews*, and of *Zedekiah* himself, *Nebuchadnezzar* a Tyrant and a Heathen; and this, when the Lawful King *Jehoiakin* was alive. And if *Zedekiah* is blamed by the Prophet for breaking them, they were undoubtedly Lawful, no Man being to blame for breaking unlawful Oaths. Neither is the Difference (between *Jehoiakin* his being Prisoner then, and King *James* now at Liberty;) material at all; since the then *Jews* were not more, perhaps less, deprived of *Jehoiakin*'s Protection, then the *English* were of King *James*'s, at and since his going away; which want of Protection from a King, which might, but will not Govern, does free his Subjects from their Allegiance to him.

And let not the Examples of King's, who being absent from their Kingdoms, or in Prison, were received again or Ransomed by their Subjects, be alledged against this, as a Pattern for us now to follow. For in those Cases, either the King alone was Conquered, not the Nation; which was the Case of *Francis* the First King of *France*, when taken at *Pavia* and carryed into *Spain*. Or the King protected his

Subjects

Subjects by the Orders which he had left at his going abroad, to follow the Wars, or his other occasions, which was the Case of *Richard* the First, King of *England*, when detained in *Germany*, as he was returning from the *Holy Land*; and of King *James* the First, when in *Norway*. But both *Jebojakin* and the *Jews* were Conquered; and the Late King *James* going away, left no Orders for a Rule in his Absence. Therefore the Case is alike, as to the Consequence, and both the then *Jews*, and the now *English*, were freed from their Allegiance equally.

As for the *Association*, let whatever may offend in it, be answered by the late Assassinators, and them that favour such Practices, who made it absolutely necessary, especially after so many reiterated Attempts against King *William*'s Life; as the many Conspiracies against Queen *Elizabeth*, did put her Subjects upon the Association which was made in her days, and of which the present is but an Imitation, both in Zeal and for the Cause of it. It is undoubtedly as Lawful as the Oaths; for, it is at most but an Oath, and a firm Resolution to stand one by another, in defence of his present Majesty.

As for combining against King *James* and his Son, it is only, as they shall become Invaders or Disturbers of *England*; otherwise they are not meddled withal, but respected at a distance.

The word *Revenge* used in the Association startles, I know, some very honest Gentlemen, who having taken the Oaths, yet will not Sign it; which is to be lamented, and their Honesty from thence concluded to be a mistaken Honesty. Private Revenge, it is true, is Unchristian, because it includes Hatred to a private Man, which is forbidden by the Gospel; but publick Revenge being free from such a Hatred, is not at all a Breach of the Laws of Christ. It is no more Sinful than declaring War, which every Nation has Right to do, because there is no common Arbitrator or Law above Nations, to which in Case of Injuries, they may resort for a Redress; hence GOD calls himself, in Scripture, the God of Wars. And this publick National War and Revenge, is neither inconsistent with private Christian Charity to civil Enemies, (as it is not in the Case of intimate Friends, ingaged in opposite Armies,) nor belonging to GOD alone, but, by his permission, it belongs to the Supream Magistrate

also; and to a Nation, in Case of publick absolute necessity, as this is.

When King *William* is declared in the Association, to be our *Lawful* King, he is but said to be what indeed he is. Lawful is according to Law, the now and standing Law of the Land, which is as just, as good, as firm, and as binding as any Humane Law can be. By such a Law King *William* is King, Lawful therefore in a Civil Sense. And Lawful also, in a Religious one, since his being King is according to Reason, and not against the Rules of Scripture.

And if Lawful, then *Rightful*; for there is no Humane Right either to a Kingdom, or to any thing else, but by the Law. If People will give wrong Senses to words, to fright themselves with them, who can help it? Rightful here cannot signifie that King *William* is Successor to King *James*, as King *James* was to King *Charles* the Second, or King *Charles* the Second to King *Charles* the First, that is by Hereditary, direct, immediate, ordinary, nearest Succession. The word thus applyed to King *William*, being against matter of Fact, would be Nonsense. It signifies therefore only full of Right, having as much Right to his Crown, as King *James* once had, as any Lawful King has, or can have, to his.

Pray mistake not the Point. It is not either Time, or ordinary Succession alone, that gives Right to any thing, tho' it may sometimes strengthen it, by removing oppositions from contrary Pretenders, or turbulent People. That which gives it, is either the Law of GOD, or, in case it be silent, the Law of the Land. By such a Right private Men enjoy their Estates, and true Kings do Reign. And both in private Possessions, and publick Titles, the first of the kind that enjoys the thing Lawfully, has as much Right to it, as the last Possessor of it ever had, tho' he came by it, through an uninterrupted Series of Generations. Thus the first Lawful King in any Kingdom, has as much Right to it, as the last: *William* the First, for instance, as *James* the Second in his time; and *William* the Third, as either of them: And all three were equally Lawful and Rightful King of *England*. And you have as much Right to those Jewels which you bought, or which were given you by Friends, as to those which came to you by your Mother, and had been in your Family

time

time out of mind; and are equally Lawful and Rightful Mistress of both.

This is, Madam, the Substance of your Objections, and what I had to say to them. And if my Answers do not satisfie you, so as to mend your Logick, and Political Belief: However they will, I hope, thus far work upon you, as to cool your Rhetorick, and make you more moderate in your Speeches, then hitherto you have been.

Give me leave to put you in mind, that Silence becomes your Sex in other things, but especially in a matter so much above your Capacity and Reach. And that implicite Faith, so justly detested in a Popish Sense, is, in a Civil one, the most commendable Quality of a Woman. And that is, believing and speaking as your Fathers, Husbands, Brothers, and Kinsmen do: or, however, keeping your Opinion and Judgment to your selves, and never suffering your Tongues to get the Mastery of you, particularly since no Oaths and no Associations, are tendered to you; and that you may freely and quietly enjoy your Estates and Thoughts, without this Test put to you, to find them out, perhaps to your Loss and Disadvantage.

Your Case is much safer than that of Men, for if out of a Scruple of Conscience they cannot take the Oath, or Sign the Association, they may be losers by it; but not you. I pity such with all my Heart; they are no Mercenaries, and no Hypocrites; they may be very good and honest Men, tho' bad Logicians, and worse Politicians.

But they are intirely inexcusable, who having taken the Oaths and Signed the Association, and often injoying Places and other Benefits by it, will still be barking at the Hand that feeds them. I have hereby a Name significant enough to design them by. They are, by their own Confession, Perjured and Traytors to both Kings, since they have knowingly broke their Allegiance to, and Conspired against their pretended Lawful King; and as knowingly Sworn Allegiance, and solemnly promis'd their utmost Assistance to their pretended unlawful one. Not to say, that they degrade themselves, even below mistaken Ladies, in thus Fighting only with their Tongues, for or against Kings, whom they durst not look in the Face, either to defend or resist, were they put to the Tryal.

All

As for those amongst them, and of your Sex, who are only mista-
ken, but otherwise civil and moderate in their Discourses; that they
may, for the future, put on, if not Love to King *William*, how-
ever a just esteem for him; let them but consider impartially his
Heroick Vertues, much above those even of most other Heroes. How
tender he was of King *James*! How quietly he let him go away,
when he might so easily have stopt him! How much Clemency he
has shewed all along to his disaffected Subjects, whose highest Punish-
ment is a private Life, and paying more Taxes then others; when
from many Kings the least sign of Discontent would have been punisht
with Banishment or Prison! How merciful to his Enemys! Hardly
any capital Punishment having been inflicted on them in his Reign,
and never a one but upon Extremity, for the last intended Assassi-
nation; tho' there were before many known Conspiracies, not only
against his Royal Dignity, but against his very Person! Cæsar-like
in all these Respects, and beyond him in Warlike Deeds and Atchieve-
ments; it being a much harder Task, with an aggregated Army, to
bring now *France* to a fair Composition, then with the *Roman* Le-
gions, to subdue the Ancient *Gauls*. I am,

MADAM,

February 10. 1697.

Your most humble Servant.